

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Kent Olson,
Plaintiff,
v.
Pfizer Incorporated, et al.,
Defendants.

No. CV-14-02275-PHX-GMS

ORDER

This matter having recently come before this Court,

IT IS ORDERED that a motion pursuant to Fed. R. Civ. P. 12(b) is discouraged if the defect can be cured by filing an amended pleading. Therefore, the parties must meet and confer prior to the filing of a motion to dismiss to determine whether it can be avoided. The duty to confer also applies to parties appearing pro se. Consequently, motions to dismiss must be accompanied by a notice of certification of conferral indicating that the parties have conferred to determine whether an amendment could cure a deficient pleading, and have been unable to agree that the pleading is curable by a permissible amendment. In addition, parties shall endeavor not to oppose motions to amend that are filed prior to the Scheduling Conference or within the time set forth in the Rule 16 Case Management Order. Motions to dismiss that do not contain the required certification are subject to be stricken on the Court's motion.

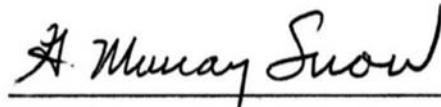
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1 **IT IS FURTHER ORDERED** directing Plaintiff familiarize himself with the
2 Federal Rules of Civil Procedure and Local Rules for the District of Arizona, both of
3 which can be found on the Court's web site at www.azd.uscourts.gov.

4 **IT IS FURTHER ORDERED** that Plaintiff shall serve a copy of this Order upon
5 Defendant(s) and file notice of service.

6 Dated this 15th day of October, 2014.

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9 G. Murray Snow
10 United States District Judge

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